

**THE WOODLANDS TOWNSHIP  
BOARD OF DIRECTORS  
WORKSHOP MEETING  
OCTOBER 21, 2010  
MINUTES**

**THE STATE OF TEXAS   §**

**COUNTIES OF HARRIS & MONTGOMERY   §**

The Board of Directors of The Woodlands Township met in regular session, open to the public, on October 21, 2010, posted to begin at 7:30 a.m. The workshop session was held in a meeting room at the Office of The Woodlands Township, Board Chambers, 10001 Woodloch Forest Drive, Suite 600, The Woodlands, Texas, within the boundaries of The Woodlands Township.

**DIRECTORS PRESENT:** Chairman Tough, Vice Chairman Lloyd Matthews, Secretary Claude Hunter, Treasurer Ed Robb, Director Nelda Blair, Director Tom Campbell and Director Peggy Hausman

**DIRECTORS ABSENT:** None

**STAFF/ADVISORS:** Don Norrell, President/General Manager, John Powers, Assistant General Manager Community Services, Monique Sharp, Assistant General Manager of Finance & Administration, Deputy Fire Chief Jerry Bittner, Nick Wolda, Director of Community Relations/CVB President, Miles McKinney, Legislative Affairs & Transportation Manager, Karen Dempsey, Management Analyst, Bret Strong and Mike Page, Legal Counsel

**CALL TO ORDER:**

Chairman Tough called the workshop session to order at 7:31 a.m. and declared that notice of this meeting was posted 72 hours in advance at the Courthouses of Montgomery and Harris Counties and inside the boundaries of The Woodlands Township at the office building located at 10001 Woodloch Forest Drive, Suite 600, The Woodlands, Texas. As there was a quorum of members present, the Board proceeded to conduct business regarding the following matters.

**CONSIDER AND ACT UPON ADOPTION OF MEETING AGENDA:**

Chairman Tough called for a motion and second to adopt the agenda.

**MOTION:** Motion by Secretary Hunter to recess the meeting if it is not finished by 11:15 a.m.; no second  
Motion failed for lack of a second.

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**SECOND MOTION:** Motion by Secretary Hunter to adopt the agenda as presented; second by Vice Chairman Matthews

**VOTE:**           **Ayes:** Chairman Tough  
                          Vice Chairman Matthews  
                          Secretary Hunter  
                          Treasurer Robb  
                          Director Blair  
                          Director Campbell  
                          Director Hausman

**Nays:** None

**Absent:** None

**ACTION:** Motion passed unanimously.

**RECOGNIZE PUBLIC OFFICIALS:**

There were no public officials in attendance.

**PUBLIC COMMENT:**

There was no public comment.

**RECEIVE AND CONSIDER THE POTENTIAL CONSENT AGENDA:**

*(This agenda consists of non-controversial or "housekeeping" items required by law that will be placed on the Consent Agenda at the next Board Meeting and may be voted on with one motion. Items may be moved from the Consent Agenda to the Regular Agenda by any Board Member making such request.)*

**Receive and consider approval of the minutes of the September 16, 2010 Workshop and the September 22, 2010 Regular Meeting of the Board of Directors of The Woodlands Township;**

Chairman Tough asked the Board to review the minutes in preparation of the October 27, 2010 Regular Board of Directors' meeting. Director Campbell noted that an additional motion needed to be included under item #14 of the voting matrix. The minutes, with the addition to the voting matrix, will be brought forward to the October 27, 2010 Regular Board meeting for approval under the Consent Agenda.

**Receive and consider renewal of Service Agreement with Stout Government Relations Consulting, LLC;**

Karen Dempsey provided a summary of this item with a recommendation that the Board approve renewal of a service agreement with Stout Government Relations Consulting, LLC. Following Board discussion, Director Hausman requested that this item be pulled from the Consent Agenda and placed on the October 27, 2010 Regular Agenda. **Pull item from Consent Agenda and place on October 27, 2010 Board of Directors' regular agenda**

**Receive and consider renewal of Service Agreement with South Montgomery YMCA;**

Karen Dempsey provided a summary of this item with a recommendation that the Board approve renewal of a service agreement with South County Montgomery YMCA for the Partners of Youth Program. Discussion followed. This item will be brought forward to the October 27, 2010 Regular Board meeting for approval under the Consent Agenda.



**Receive and consider renewal of Service Agreement with The Friendship Center;**

Karen Dempsey provided a summary of this item with a recommendation that the Board approve renewal of a service agreement with The Friendship Center. Discussion followed. This item will be brought forward to the October 27, 2010 Regular Board meeting for approval under the Consent Agenda.

**Receive and consider renewal of Service Agreement with South Montgomery County Woodlands Chamber of Commerce Economic Development Partnership;**

Nick Wolda provided a summary of this item with a recommendation that the Board approve renewal of a service agreement with the South Montgomery County Woodlands Economic Development Partnership at a level of \$125,000 annually. Discussion followed. This item will be brought forward to the October 27, 2010 Regular Board meeting for approval under the Consent Agenda.

**Receive and consider renewal of Service Agreement with the Greater Houston Partnership;**

Nick Wolda provided a summary of this item with a recommendation that the Board approve renewal of a service agreement with the Greater Houston Partnership at a level of \$25,000 for 2011. Discussion followed. This item will be brought forward to the October 27, 2010 Regular Board meeting for approval under the Consent Agenda.

**Receive and consider renewal of Service Agreement with The Woodlands Convention and Visitors Bureau;**

Nick Wolda provided a summary of this item with a recommendation that the Board approve renewal of a service agreement with The Woodlands Convention and Visitors Bureau. Mr. Wolda noted one change to the 2011 agreement which is to allow the Bureau to retain and carry over unspent budget funds at year end. Following Board discussion, Director Hausman requested that this item be pulled from the Consent Agenda and placed on the October 27, 2010 Regular Agenda. **Pull item from Consent Agenda and place on October 27, 2010 Board of Directors' Regular Agenda**

**Receive and consider renewal of Service Agreement with The Center for Houston's Future;**

Nick Wolda provided a summary of this item with a recommendation that the Board approve renewal of a service agreement with the Center for Houston's Future at a level of \$15,000. Discussion followed. This item will be brought forward to the October 27, 2010 Regular Board meeting for approval under the Consent Agenda.

**Receive and consider renewal of Service Agreement with Leadership Montgomery County;**

Nick Wolda provided a summary of this item with a recommendation that the Board approve renewal of a service agreement with Leadership Montgomery County at a level of \$5,000 for the 2010-2011 leadership year. Discussion followed. This item will be brought forward to the October 27, 2010 Regular Board meeting for approval under the Consent Agenda.

**Receive and consider renewal of Interlocal Agreement with Montgomery County for the interim funding of Justice of the Peace and Constable, Precinct 3;**

John Powers provided a summary of this item with a recommendation that the Board approve the renewal of the public safety service agreement with Montgomery County for services provided by the Montgomery



County Constable's Office, Precinct 3 and Montgomery County Justice of the Peace, Precinct 3 in the amount of \$177,700. Discussion followed. This item will be brought forward to the October 27, 2010 Regular Board meeting for approval under the Consent Agenda.

**Receive and consider approval of Public Safety Service Agreement with Harris County Precinct 4 Constable;**

John Powers provided a summary of this item with a recommendation that the Board approve a public safety service agreement with Harris County for services provided by the Harris County Constable's Office, Precinct 4 in the amount of \$116,100 and authorize the President/General Manager to execute the agreement upon review and approval of legal counsel. Discussion followed. This item will be brought forward to the October 27, 2010 Regular Board meeting for approval under the Consent Agenda.

**Receive and consider renewal of Public Safety Service Agreements with Montgomery County Sheriff's Office;**

John Powers provided a summary of this item with a recommendation that the Board approve the renewal of two public safety service agreements: Interlocal Agreement with Montgomery County for the Provision of Law Enforcement Services and an Agreement for Law Enforcement Services with Montgomery County. Discussion followed. This item will be brought forward to the October 27, 2010 Regular Board meeting for approval under the Consent Agenda.

**Receive and consider a Memorandum of Understanding with Youth Soccer Club of Montgomery County Inc. (dba Rush Soccer) for athletic field use;**

John Powers provided a summary of this item with a recommendation that the Board approve a Memorandum of Understanding with the Youth Soccer Club of Montgomery County, Inc. (dba Texas Rush Soccer Club) and authorize the President/General Manager to execute the agreement. Mr. Powers noted that the contract is a multi-year contract. Discussion followed. This item will be brought forward to the October 27, 2010 Regular Board meeting for approval under the Consent Agenda.

**Receive and consider a Memorandum of Understanding with South Montgomery County YMCA for athletic field use;**

John Powers provided a summary of this item with a recommendation that the Board approve a Memorandum of Understanding with the South Montgomery County YMCA and authorize the President/General Manager to execute the agreement. Mr. Powers noted that the contract is for one year. Discussion followed. This item will be brought forward to the October 27, 2010 Regular Board meeting for approval under the Consent Agenda.

**Receive and consider a Memorandum of Understanding with The Woodlands Youth Rugby Club for athletic field use;**

John Powers provided a summary of this item with a recommendation that the Board approve a Memorandum of Understanding with The Woodlands Youth Rugby Club and authorize the President/General Manager to execute the agreement. Mr. Powers noted that the contract is for one year. Discussion followed. This item will be brought forward to the October 27, 2010 Regular Board meeting for approval under the Consent Agenda.

**Receive and consider a Memorandum of Understanding with The Woodlands Rugby Football Club (adult) for athletic field use;**



John Powers provided a summary of this item with a recommendation that the Board approve a Memorandum of Understanding with The Woodlands Rugby Football Club and authorize the President/General Manager to execute the agreement. Mr. Powers noted that the contract is for one year. Discussion followed. This item will be brought forward to the October 27, 2010 Regular Board meeting for approval under the Consent Agenda.

**Receive and consider a Memorandum of Understanding with Woodlands Lacrosse Association for athletic field use;**

John Powers provided a summary of this item with a recommendation that the Board approve a Memorandum of Understanding with Woodlands Lacrosse Association and authorize the President/General Manager to execute the agreement. Mr. Powers noted that the contract is for one year. Discussion followed. This item will be brought forward to the October 27, 2010 Regular Board meeting for approval under the Consent Agenda.

**Note: At this point in the meeting, Chairman Tough asked the Board to receive the following briefing item:**

**Receive a presentation from the Greater Houston Partnership (GHP) and Opportunity Houston;**

Tracye McDaniel, Executive Vice President and Chief Operating Officer of the Greater Houston Partnership, as well as Craig Richard, Chief Economic Development Officer of the Greater Houston Partnership, presented a quarterly report to The Woodlands Township Board of Directors. Ms. McDaniel reviewed economic development services provided by the GHP through an agreement with The Woodlands Township. Also, Ms. McDaniel highlighted strategic marketing efforts which promoted The Woodlands.

**Note: Chairman Tough returned to the remaining items on the Consent Agenda.**

**Receive and consider request from The Woodlands Resort and Conference Center to waive a late fee on local hotel occupancy tax deposit for the month of September;**

Monique Sharp provided a summary of this item with a recommendation to the Board that The Woodlands Township waive the 5% late fee on local hotel occupancy tax deposit for the month of September for The Woodlands Resort and Conference Center. Discussion followed. This item will be brought forward to the October 27, 2010 Regular Board meeting for approval under the Consent Agenda.

**Receive and consider an award of bid for sound engineering services;**

John Powers provided a summary of this item with a recommendation to the Board that the bid for sound engineering services be awarded to SkyGod Productions, LLC and authorize the President/General Manager to execute a contract for the services. Discussion followed. This item will be brought forward to the October 27, 2010 Regular Board meeting for approval under the Consent Agenda.

**Receive and consider an amendment to the Investment Policy of The Woodlands Township, and adoption of a resolution in connection therewith;**

Chairman Tough informed the Board that this item will be deferred until November.

### **BRIEFINGS;**

**Receive a staff report regarding proposed changes in the format of the Annual Public Safety Awards Banquet;**

Nick Wolda provided background information on this item with a recommendation that The Woodlands Township continue to honor contracted law enforcement and fire department employees, but in a different format. Marian Leck, Director of Law Enforcement for The Woodlands Township, was called on to provide additional comments and answer questions from the Board. Discussion followed. No action was needed on this item.

**Receive a presentation from Jim Stinson, General Manager of The Woodlands Joint Powers Agency regarding water conservation issues;**

This item will be presented at the October 27, 2010 Regular Board of Directors' meeting.

**Receive a presentation from Jace Houston, Deputy General Manager with the San Jacinto River Authority regarding surface water issues;**

This item will be presented at the October 27, 2010 Regular Board of Directors' meeting.

### **POTENTIAL REGULAR AGENDA;**

*This agenda consists of items that will be placed on the Regular Agenda at the next Board of Directors' Meeting.*

**Receive and consider acceptance of a proposal for a Veterans Memorial sculpture;**

John Powers provided a summary of this item with a recommendation to the Board that the Veterans Memorial Committee be requested to return with a conceptual site plan, projected schedule and timeframe, estimated perpetual care and maintenance costs, and the maquette for further consideration. It was also recommended that the Board may want to consider appointing an ad-hoc committee to review the plans, schedule and design with the Veterans Memorial Committee. Everett Ison, Veterans Memorial Committee member, was called on to provide additional background information and comments regarding the proposal for the Veteran's Memorial sculpture. Discussion followed. This item will be brought forward to the October 27, 2010 Regular Board meeting for consideration and action.

**Receive and consider approval of a ground lease for the Rowing Club of The Woodlands;**

John Powers provided a summary of this item with a recommendation to the Board that they authorize the President/General Manager to work with the Rowing Club of The Woodlands and legal counsel to draft a ground lease for a term of 40 years that can be renewed for additional terms at a lease amount of one dollar per year. The Rowing Club would provide a survey of the area of Northshore Park subject to the lease and a provision of the lease will provide three years for the capital campaign and construction of the boat house or the agreement would terminate. The Rowing Club will return to the Board with a draft agreement during the first part of 2011 for further consideration. Discussion followed. This item will be brought forward to the October 27, 2010 Regular Board meeting for consideration and action.

**Receive a report regarding the potential agreement with Lake Woodlands Property Owner's Association (LWPOA) to assume responsibilities for Lake Woodlands;**



John Powers was called on to provide background information on this item. Following Mr. Powers' comments, the Board was informed that additional time is needed to finalize an agreement with the Lake Woodlands Property Owners Association. Discussion followed. This item will be brought back to the Board in early 2011 when a final agreement is ready. **Take item off the October 27, 2010 Board of Directors' Regular Agenda**

**Receive and consider award of bid for private security services;**

John Powers provided a summary of this item with a recommendation to the Board that Industrial Security Services be awarded the bid for security services for a three year period (2011, 2012 and 2013) and authorize the President/General Manager to execute a contract for services. Discussion followed. This item will be brought forward to the October 27, 2010 Regular Board meeting for consideration and action.

**Receive and consider a recommendation for the Ad Hoc Water Taxi Committee regarding water taxi Service Agreements;**

Nick Wolda provided background information on this item and then informed the Board that the Ad Hoc Water Taxi Committee recommended the following agreements be approved:

- Waterway Cruisers Bill of Sale, Assignment, and Assumption with Limited Reversionary Rights
- Waterway Cruisers Interlocal Agreement
- Waterway Cruisers Funding Agreement
- Waterway Cruisers Operation Services Agreement
- Assignment of Service Mark

Bret Strong, Legal Counsel, was then called on to provide additional comments on the above agreements. Discussion followed. This item will be brought forward to the October 27, 2010 Regular Board meeting for consideration and action.

**Receive and consider amending the name of the Waterway Tax to Waterway Cruisers;**

Nick Wolda provided a summary of this item with a recommendation to the Board that the name of the Water Tax be changed to Waterway Cruisers. Discussion followed. This item will be brought forward to the October 27, 2010 Regular Board meeting for consideration and action.

**Receive and consider a process and procedure for considering and approving encroachments onto Township owned and/or managed properties and adoption of a resolution establishing the use of a standard form Memorandum of Agreement in connection therewith;**

John Powers provided a summary of this item with a recommendation to the Board that they adopt the resolution establishing the use of a standard form Memorandum of Agreement and authorize the President/General Manager to execute such form where the President/General Manager has determined it to be advantageous and in the best interest of the Township to enter into a Memorandum of Agreement as contained in the form. Discussion followed. This item will be brought forward to the October 27, 2010 Regular Board meeting for consideration and action.

**Receive and consider an amendment to The Woodlands Township's 2010 Operating Budget;**

Monique Sharp provided a summary of this item with a recommendation to the Board that amendments related to the capital projects and the debt service line items be made to The Woodlands Township's 2010 Operating Budget. Discussion followed. This item will be brought forward to the October 27, 2010 Regular Board meeting for consideration and action.



**Receive and consider a report in regards to exercising a purchase option for a new office facility of The Woodlands Township located at 9012 New Trails;**

Don Norrell provided a summary of this item and discussed the cost of purchasing a new office facility through a bond offering versus the cost of leasing the facility over a 15 year period. Following Mr. Norrell's comments, Damon Palermo, with PalermoBarr Commercial Real Estate Advisors, was called on to provide additional comments regarding the cost of occupancy between leasing versus purchasing. Following Mr. Palermo's comments, Mike Page, Legal Counsel, was called on to explain the bonding process. Discussion followed. This item will be brought forward to the October 27, 2010 Regular Board meeting for consideration and action.

**Receive and consider a schedule of meeting dates for The Woodlands Township Board of Directors for calendar year 2011;**

Karen Dempsey provided a summary of this item with a recommendation that the Board adopt a schedule of meeting dates for The Woodlands Township Board of Directors for calendar year 2011. Discussion followed with a proposal by Treasurer Robb to make the following changes to the schedule:

- Change September 22, 2011 meeting date to September 15, 2011
- Change September 28, 2011 meeting date to September 21, 2011

Secretary Hunter commented that he would like all meetings to be held on Wednesdays. This item with proposed changes will be brought forward to the October 27, 2010 Regular Board meeting for consideration and action.

**CLOSED MEETING (if applicable):**

**Recess at 10:50 a.m. to Executive Session to discuss matters relating to real property pursuant to §551.072, Texas Government Code; deliberation of economic development negotiations pursuant to §551.087, Texas Government Code; discuss personnel matters pursuant to §551.074, Texas Government Code; and to consult with The Woodlands Township's attorney concerning pending litigation pursuant to §551.071, Texas Government Code;**

**Reconvene in Public Session at 11:08 a.m.;**

Chairman Tough announced that it would not be necessary to take action at this time on matters discussed in Executive Session.

**ADMINISTRATIVE REPORTS:**

**Community Services:** presented by John Powers

- National Night Out was a great success
- The 2010 pool season ended with 185,025 in overall attendance.
- Walk to School campaign had high participation with 10 schools participating
- Ten for Texas was held October 9, 2010 with 1,893 individuals registering for the 10 mile race
- Three applications for mobile vendor permits have been received
- Jagged Edge Park in the Village of Creekside Park is 99% complete
- Final Concert in the Park of the fall series will be held October 23, 2010
- Lynne Aldrich, Environmental Services Manager for The Woodlands Township, was awarded the 2010 Linda B. Smith Memorial Award by the State of Texas Alliance for Recycling (STAR)



- Watch Talk Wednesday scheduled for October 27, 2010-presentation on the potential dangers of identity theft and ways residents can protect themselves
- Wild Flower Festival is scheduled for October 23, 2010 at Rob Fleming Lodge from 10:00 a.m. to 2:00 p.m.
- The bi-annual Fall Flea Market is scheduled for November 6, 2010 from 7:00 a.m. to 10:00 a.m. at the Cynthia Woods Mitchell Pavilion Parking Garage

**Community Policing:** presented by Marian Leck

- Developed a 25 subject, 40 hour crime prevention/community oriented/policing and tourism oriented course to begin next month at the WFD Training Center; goal is to have all District 6 personnel go through the course by the end of 2011
- "In the Zone" newsletter to feature where officers are working in their community zones
- Sheriff's department participated with DEA in the National Pill Take Back Campaign at 242 Walmart
- Sheriff's department participated in the Sterling Ridge Barbeque Challenge
- No major incidents reported at any of the fall events so far
- Holiday Patrol Program will start next month

**The Woodlands Fire Department:** no report

**The Woodlands Convention & Visitors Bureau:** presented by Nick Wolda

- Passed out new Discovery Guides to the Board
- Trick or Treat Trail event was well attended
- Holiday Planning is taking place for Lighting of the Doves, iWOW and the Ice Rink

**Administration:** presented by Don Norrell

- Board Planning Retreat to be held on Thursday, October 28, 2010 from 8:00 a.m. to 11:00 a.m. at the Service Center.

**DISCUSS FUTURE AGENDA/ANNOUNCEMENTS:**

**Consideration of items to be placed on the agenda for next month's meeting;**

- Treasurer Robb mentioned that some thought should be given to regional governance possibilities with the new Coventry Development being built south of The Woodlands.

**Board announcements; and**

There were no announcements.

**Adjourn**

As there was no further business to discuss, Chairman Tough called for a motion and second to adjourn the meeting at 11:20 a.m.

**MOTION:** Motion by Director Blair; second by Director Campbell

**VOTE:** Ayes: Chairman Tough  
Vice Chairman Matthews

Secretary Hunter  
Treasurer Robb  
Director Blair  
Director Campbell  
Director Hausman

**Nays:** None

**Absent:** None

**ACTION:** Motion passed unanimously.



A handwritten signature in blue ink, appearing to read "Claude Hunter", is written over a horizontal line.

**Claude Hunter**  
**Secretary, Board of Directors**